

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

FLOYD JENNINGS,

Plaintiff,

v.

Case No. 2:06-cv-1
HON. GORDON J. QUIST

UNKNOWN BERGH, et al.,

Defendants.

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**OPINION AND ORDER
APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #29) is approved and adopted as the opinion of the Court.
2. The motion for summary judgment filed by defendants Hursh, Bergh, Rapelje, Jones, Immel, Rife and Wickstrom (Docket #16) is GRANTED and defendants Hursh, Bergh, Rapelje, Jones, Immel, Rife and Wickstrom are DISMISSED from this action.
3. The motion for summary judgment filed by defendant Berg (Docket #21) is DENIED.

Dated: September 29, 2008

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE